IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6738 OF 2003.

Shri R.B. Vaswani. ... Petitioner.
V/s.
M/s.Man Industries (India) Ltd.
and others. ... Respondents.

R.R.Salvi for the petitioner.

S.M.Khaire for respondent No.1.

CORAM: V.C.DAGA, J.

DATED: 12th December 2005.

P.C.:

. Heard.

. By consent of parties, the impugned order is set aside without recording any reasons and without examining merits or demerits thereof.

. The proceedings are remitted back to the Appellate Authority under the Payment of Gratuity Act, 1972 and Regional Labour Commissioner (Central) Mumbai with direction to decide the matter afresh taking into account the provisions of section 2A(2)(iii) of the Payment of Gratuity Act. The Appellate Authority is further directed to decide the matter as expeditiously as possible, at any rate, within three months from the date of receipt of this order. All rival contentions are kept open.

. Petition stands disposed of in terms of this order with no order as to costs.

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